

2

RON BENDER (SBN 143364)  
TODD M. ARNOLD (SBN 221868)  
LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.  
10250 Constellation Boulevard, Suite 1700  
Los Angeles, California 90067  
Telephone: (310) 229-1234  
Facsimile: (310) 229-1244  
Email: [rb@lnbyb.com](mailto:rb@lnbyb.com); [tma@lnbyb.com](mailto:tma@lnbyb.com)

Proposed Attorneys for Chapter 11 Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
(SACRAMENTO DIVISION)**

In re:

MATTERHORN GROUP, INC.,

Debtor.

VITAFREZE FROZEN CONFECTIONS,  
INC.,

Debtor.

DELUXE ICE CREAM COMPANY,

Debtor.

- ☒ Affects ALL DEBTORS  
☐ Affects only MATTERHORN GROUP, INC.  
☐ Affects only VITAFREZE FROZEN  
CONFECTIONS, INC.  
☐ Affects only DELUXE ICE CREAM COMPANY

[Proposed] Lead Case No. 10-39672 (MSM)  
[Proposed] Jointly Administered with Case  
Nos. 10-39664 (MSM), and 10-39670 (MSM).<sup>1</sup>

DC No. LNB-1

Chapter 11 Cases

**ORDER SETTING HEARING ON  
DEBTORS' EMERGENCY MOTION FOR  
AN ORDER (1) AUTHORIZING  
THE DEBTORS' USE OF CASH  
COLLATERAL ON AN INTERIM BASIS  
PENDING A FINAL HEARING,  
(2) SCHEDULING A FINAL HEARING,  
(3) AUTHORIZING THE DEBTORS'  
CONTINUED USE OF CERTAIN  
PORTIONS OF THE DEBTORS' CASH  
MANAGEMENT SYSTEM, AND  
(4) AUTHORIZING THE MAINTENANCE  
OF THE DEBTORS' EXISTING BANK  
ACCOUNTS FOR AN INTERIM PERIOD**

Hearing:

Date: July 28, 2010  
Time: 10:30 a.m.  
Place: Department A  
Judge Michael S. McManus  
Courtroom No. 28  
Floor No. 7  
Robert T. Matsui Courthouse  
501 I Street  
Sacramento, CA 95814

<sup>1</sup> Motion for Joint Administration pending.

1 Upon consideration of the Motion for an Order (1) Authorizing the Debtors' Use of Cash  
2 Collateral on an Interim Basis Pending a Final Hearing, (2) Scheduling a Final Hearing, (3)  
3 Authorizing the Debtors' Continued Use of Certain Portions of the Debtors' Cash Management  
4 System, and (4) Authorizing the Maintenance of the Debtors' Existing Bank Accounts for an  
5 Interim Period (the "Motion") filed by Matterhorn Group, Inc., Vitafreze Frozen Confections,  
6 Inc., and Deluxe Ice Cream Company, the debtors and debtors in possession in the above-  
7 captioned (proposed) jointly administered Chapter 11 bankruptcy cases (collectively, the  
8 "Debtors"), the notice of the Motion, the memorandum of points and authorities, declarations,  
9 and exhibits filed in support of the Motion, and for good cause shown,

10 **IT IS HEREBY ORDERED AS FOLLOWS:**

11 1. The Debtors shall serve the Motion by overnight mail for delivery on July 28,  
12 2010 on the Office of the United States Trustee (the "UST"), the 20 largest general unsecured  
13 creditors in each of the Debtors' cases (the "Top 20"), and the Debtors' secured creditors and  
14 their counsel (if known) (the "Secured Creditors").

15 2. The hearing on the motion shall take place at the above-referenced date, time, and  
16 location.

17 3. To the greatest extent possible, the Debtors shall provide telephonic notice of the  
18 hearing on the Motion to the UST, the Top 20, and the Secured Creditors and file a proof of such  
19 telephonic notice with the Court. In providing such telephonic notice, the Debtors shall inform  
20 parties that they may obtain a copy of the Motion and supporting papers by email if they provide  
21 an email address to the Debtors' counsel.

22 4. To the greatest extent possible, the Debtors shall provide fax or email notice of  
23 the hearing on the Motion to the UST, the Top 20, and the Secured Creditors and file a proof of  
24 such fax and/or email notice.

25 **IT IS SO ORDERED.**

26 27 July 2010

